



City of Seattle

Gregory J. Nickels, Mayor

Department of Design, Construction and Land Use

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Applicant Name: Department of Design, Construction and Land Use

Location of Proposal: The central portion of the Rainier Beach Residential Urban Village, including areas generally east of 46th Avenue S., west of 52nd Avenue S., north of S. Fletcher Street and south of S. Trenton Street. (See Figure 4)

SUMMARY OF PROPOSED ACTION

The proposed non-project land use action is the rezone of a large area located within the Rainier Beach Residential Urban Village as recommended by the Rainier Beach 2014 Neighborhood Plan.

The following approval is required:

SEPA - Environmental Conditions - Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

 ☐ DNS with conditions

 ☐ DNS involving non-exempt grading, or demolition,
 or involving another agency with jurisdiction.

BACKGROUND DATA

Site Description

The subject properties are described as follows:

S. Henderson Street Vicinity- (shown on Figure 1)

Area 1- Rezone parcels near S. Henderson Street between 48th and 50th Avenues S. from Midrise (MR) to Neighborhood Commercial 3 with a 40-foot height limit (NC3-40').

Area 2 - Rezone Villa Park townhouses property from MR to Lowrise 3 (L3).

Area 3 - Rezone Lowrise 1 (L1) zoned parcels south of S. Henderson Street between 46th and 48th Avenues S. to Lowrise 2 (L2).

Rainier Beach Commercial Core Vicinity – (shown on Figure 2)

Area 4 - Rezone the central commercial area south of S. Henderson Street from Commercial 1 (C1-40') to NC3-40'.

Area 5 - Rezone parcels south of Rainier Avenue S. between 50th and 52nd Avenues S. from C1-40' and C1-30' to NC3-40'.

Area 6 - Rezone parcels on the west side of Rainier Avenue S. from MR to NC3-40'.

Area 7 - Rezone a small portion of the Barton Place Apartments property from L3 to NC3-40', to match other recommended zoning on this property.

P2 Pedestrian Overlay Zone- (shown on Figure 3)

Place a P2 Pedestrian Overlay on the following segments of S. Henderson Street and Rainier Avenue S.:

- proposed and existing NC-zoned properties on the south side of S. Henderson Street between 48th Avenue S. and Rainier Avenue S.;
- both sides of Rainier Avenue S. from S. Fisher Place to S. Henderson Street (excluding the library property), including the western 110 feet of the QFC/Rite-Aid property; and
- Four properties on the east side of Rainier Avenue S. north of S. Henderson Street.

Public Comments

A public hearing on the proposed legislation will be scheduled before the Seattle City Council Landlord/Tenant and Land Use Committee in the spring of 2003. Public testimony will be taken at the hearing, and comments can be submitted in writing before the hearing.

SEPA DETERMINATION

The initial disclosure of the potential impacts from this action was made in the environmental checklist submitted by the applicant dated April 2, 2003. The information in the checklist, the Draft Director's Report and Recommendation of Rezones for the Rainier Beach Neighborhood dated April 22, 2003 and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

This proposal is an adoption of legislation and is defined as a non-project action. This action is not specifically addressed as a Categorical Exemption (SMC 25.05.800), therefore it must be analyzed for probable significant adverse environmental impacts. A threshold determination is required for any proposal that meets the definition of action and is not categorically exempt.

Short-term Impacts

As a non-project action, the proposal will not have any short-term impact on the environment in that construction is not a direct result of this action.

Long-term Impacts

The proposal would modify permitted uses and development standards on the subject properties within the Rainier Beach Residential Urban Village. Ultimate impacts would only be realized through individual project actions. SEPA regulations will be applied on a project-by-project

basis, and appropriate mitigation required where necessary. However, land use impacts and density related impacts resulting from the rezone, such as height, bulk and scale, traffic and parking are discussed further below.

The proposed action is not expected to adversely impact land use in the surrounding area. The City's SEPA land use policy is to, "...ensure that proposed uses in development projects are reasonably compatible with surrounding uses and are consistent with any applicable, adopted land use regulations, the goals and policies set forth in Section C of the land use element of the Seattle comprehensive plan..." The proposed rezones are intended to implement the goals and policies of the Rainier Beach Neighborhood Plan. The goals and policies of the Plan are consistent with the neighborhood planning element and Section C of the land use element of the Seattle comprehensive plan. Overall commercial and residential development capacity, reviewed as part of the rezone analysis would be virtually unchanged by the proposed rezones. Therefore, there would be no perceptible effect on the neighborhood's ability to accommodate growth over the long term. In addition, the rezone criteria found in SMC 23.34 of the Land Use Code evaluates land use impacts and specifically states in SMC 23.34.007D, Rezone Evaluation, that "Compliance with the provisions of this chapter shall constitute consistency with the Comprehensive Plan for the purpose of reviewing proposed rezones..."

The proposed action is not expected to generate adverse traffic or parking impacts. The specific number of auto trips cannot be determined until specific projects are proposed. Parking demands cannot be determined since the quantity of off-street parking spaces proposed and the type of uses proposed have not been established. Impacts to the surrounding auto transportation network are not expected to be adversely impacted from the rezone action in that the development capacity is not expected to substantially increase. Additionally, the rezone area is within an urban center, which will be very close to a proposed light rail station and is expected to be well served by transit opportunities.

Project-level impacts of particular development would be mitigated by application of Land Use Code standards of the new zones during specific project review. Specific project impacts subject to environmental review could be additionally mitigated through SEPA if the Code does not sufficiently mitigate adverse impacts. Neighborhood design review could be required in cases where new construction is proposed within the Neighborhood Commercial and Lowrise 3 zones and SEPA is triggered. In these cases, SEPA policy with respect to height, bulk and scale impacts states, "[a] project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated."

A more specific area by area impact analysis follows:

S. Henderson Street Vicinity- shown on Figure 1

Area 1- Rezone parcels near S. Henderson Street between 48th and 50th Avenues S. from Midrise (MR) to Neighborhood Commercial 3 with a 40-foot height limit (NC3-40')

The rezone will lower the height limit for new development from 60 feet to 40 feet and could result in buildings with less setback. Midrise does allow commercial uses on the ground

floor similar to typical mixed-use development in Neighborhood Commercial. It is anticipated that impacts will not perceptibly change.

Area 2 - Rezone Villa Park townhouses property from MR to Lowrise 3 (L3) This zone change would reduce development capacity and may result in less SEPA impact.

Area 3 - Rezone Lowrise 1 (L1) zoned parcels south of S. Henderson Street between 46th and 48th Avenues S. to Lowrise 2 (L2) The development capacity and the height, bulk and scale of structures are expected to increase in that the density and dimensional standards are more permissive than Lowrise 1. However, the dimensional standards are reasonably compatible with single family standards. The zoning boundary between the less intense single family zone and the Lowrise 2 zone is in the street right of way in most instances which provide some transition between the zones. A small number of single family properties abut the rezone area and could be directly impacted; however the Lowrise 2 setback and height standards are not incompatible with single family. Additionally, there are no known topographic or physical features of this area that would exacerbate the height, bulk and scale impacts on the single family zoned parcels. Impacts to the natural environment should be unchanged.

Rainier Beach Commercial Core Vicinity – shown on Figure 2

Area 4 - Rezone the central commercial area south of S. Henderson Street from Commercial 1 (C1-40') to NC3-40'. The threshold for design review and SEPA would be lowered in that Neighborhood Commercial zones have lower thresholds than General Commercial zones. This would generally result in less height, bulk and scale impacts. The type of land uses allowed in the Neighborhood Commercial zone is typically less permissive than the General Commercial zones so land use impacts should not be perceptibly changed. Impacts to the natural environment should be unchanged.

Area 5 - Rezone parcels south of Rainier Avenue S. between 50th and 52nd Avenues S. from C1-40' and C1-30' to NC3-40'. Development of properties zoned Commercial 1 with a 30 foot height limit would benefit from the additional 10 feet allowed with the Neighborhood Commercial 3 zone with a 40 foot height limit. However, the threshold for design review and SEPA would be lowered in that neighborhood commercial zones have lower thresholds than General Commercial zones. The type of land uses allowed in the Neighborhood Commercial zone is typically less permissive than the General Commercial zones so land use impacts should not be perceptibly changed. Impacts to the natural environment should be unchanged.

Area 6 - Rezone parcels on the west side of Rainier Avenue S. from MR to NC3-40'.

See analysis for Area 1.

Area 7 - Rezone a small portion of the Barton Place Apartments property from L3 to NC3-40', to match other recommended zoning on this property. This is not currently a separate building site, but part of a larger developed parcel now zoned Midrise. The zoning boundary between the less intense Lowrise 3 zone and Neighborhood Commercial zone is in the street right of way which provides some transition between the zones.

P2 Pedestrian Overlay – shown on Figure 3: The recommended P2 pedestrian overlays would likely encourage future development along portions of S. Henderson Street and Rainier Avenue S. to be more closely oriented to the street than under existing zoning. The overlay would require that approximately 80 percent of the street frontage of new buildings be occupied by uses in the retail, customer service, restaurant, entertainment or library categories. This greater orientation to the street would likely occur over a long period of time. Existing structures located away from the street, even those with drive-in windows, could continue to operate indefinitely.

Other impacts

Other impacts, such as earth movement, development within Environmentally Critical Areas, energy consumption, increased demand for public service or utilities, increased ambient noise from increased human activity will be eliminated or mitigated by compliance with existing codes and ordinances. Additionally, these other impacts may be analyzed and mitigated, if necessary, through SEPA during project level reviews.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2c.

[] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2c.

RECOMMENDED CONDITIONS – SEPA

None.

Signature: (signature on file) Date: May 1, 2003
Jess Harris, AICP
Land Use Planner
Department of Design, Construction and Land Use

Attachments

Figure 1

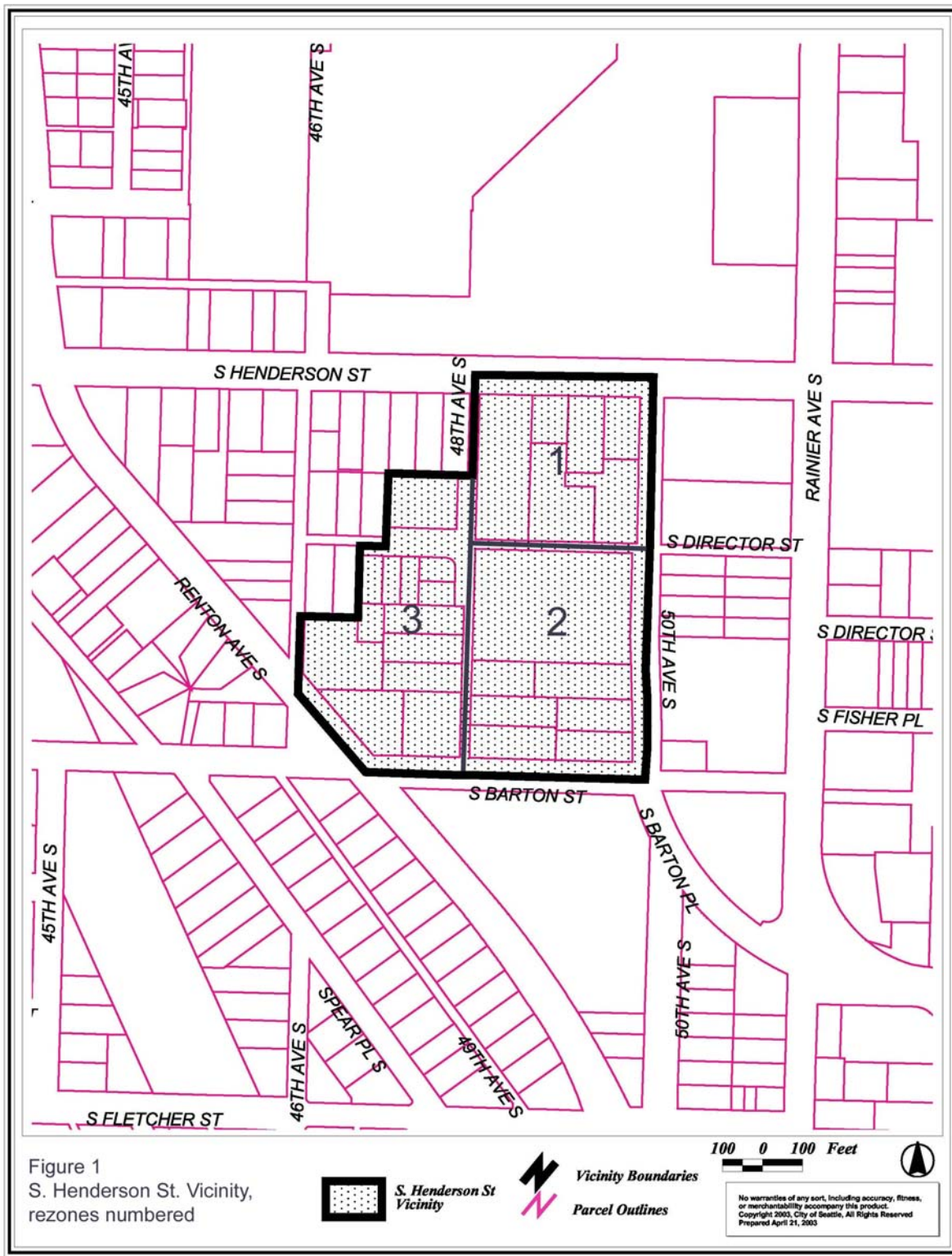


Figure 2

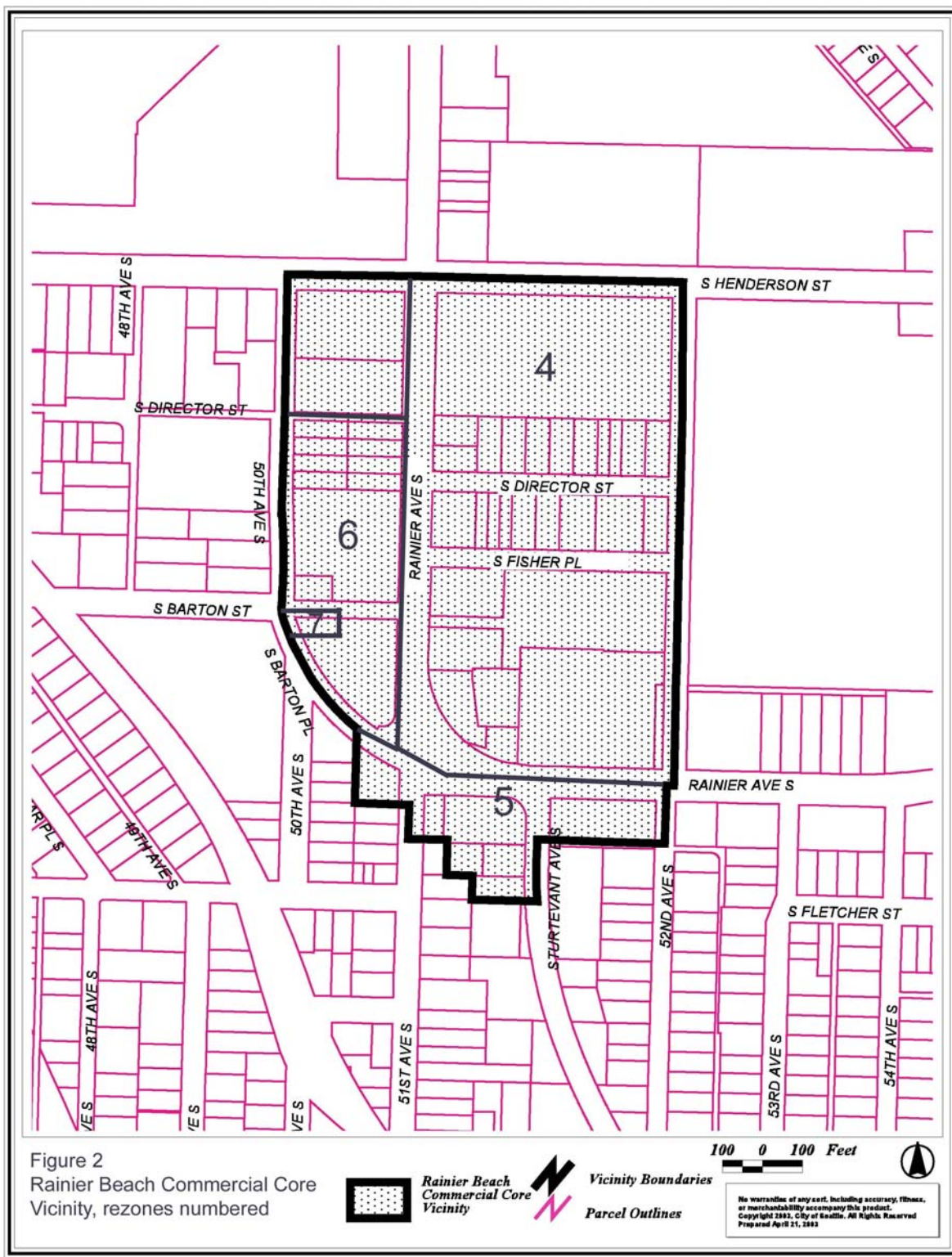


Figure 3 – Recommended P2 Overlay

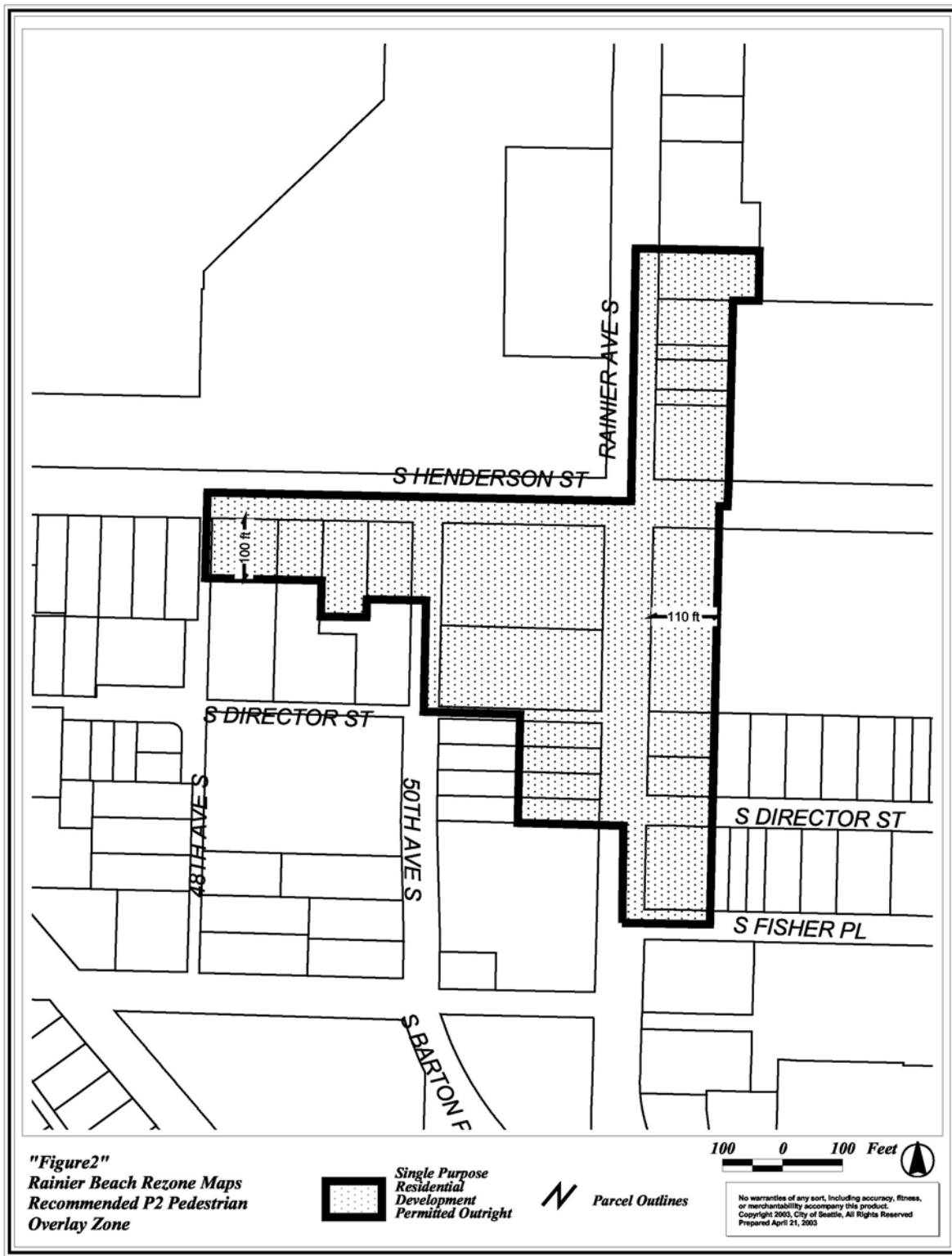


Figure 4

